

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF PENNSYLVANIA**

In re: :
 :
James Harold Cooper : Case No. 24-11994-pmm
 :
 :
Debtor. : Chapter 13

**OBJECTION OF CITADEL FEDERAL CREDIT UNION
TO CHAPTER 13 PLAN**

Citadel Federal Credit Union (hereinafter “Movant” or “Citadel”), through its counsel, M. Jacqueline Larkin, Esq., respectfully requests this Honorable Court to deny confirmation of the Chapter 13 Plan filed by Debtor James Cooper, (hereinafter “Debtor”) as it relates to the Real Property located at 24 Beech Street, Pottstown, PA 19464 (the “Real Property”). In support thereof, Movant respectfully represents as follows:

1. Movant is a secured creditor by reason of Debtor having executed and delivered a mortgage on the Real Property to Citadel Federal Credit Union on July 2, 2016, which mortgage is recorded in the Office of the Recorder of Deeds of Montgomery County on July 8, 2016, as Document No. 2016049887 in B-14163 P-02385-02406. *A copy of the Mortgage is attached hereto as “Exhibit A.”*

2. Debtor filed his Chapter 13 Petition on June 11, 2024 and filed his Schedules and Chapter 13 Plan on June 11, 2024.

3. The pre-petition arrearages owed to Movant are in the amount of \$35,252.72. *See* Claim No. 1-1.

4. Citadel objects to the Chapter 13 Plan (hereinafter, the “Plan”) because the Plan is underfunded and does not provide sufficient funds to pay the claims owed to Movant.

5. Citadel objects to the Chapter 13 Plan because it does not propose how Debtor is going to pay taxes that are owed on the Property in the amount of \$21,278.40 that are due for 2019, 2020, 2021, and 2022.

6. The Plan as filed is deficient as it does not provide sufficient funding to pay the total arrears and regular monthly payments due to Citadel pursuant to 11 U.S.C. §1325(b)(5).

7. The Plan is in violation of 11 U.S.C. §1325(b)(5) in that it fails to provide for the full value of Movant's claim, arrears and monthly payments.

8. Debtor has failed to propose a feasible plan under 11 U.S.C. §1325(a)(6) therefore Movant requests that confirmation of the Chapter 13 Plan be denied in its entirety.

WHEREFORE, the Secured Creditor, Citadel, respectfully requests that this Court deny confirmation of the Debtor's Chapter 13 Plan.

Respectfully Submitted,

VAUGHAN MCLEAN

/s/ M. Jacqueline Larkin

M. Jacqueline Larkin, Esq.

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Attorneys for Plaintiff,

Citadel Federal Credit Union

Date: June 24, 2024

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF PENNSYLVANIA**

In re:	:	
	:	
James Harold Cooper	:	Case No. 24-11808-pmm
	:	
	:	
Debtor.	:	Chapter 13

ORDER

Upon consideration of the Objection to Confirmation of the Chapter 13 Plan filed by Citadel Federal Credit Union, it is **ORDERED** and **DECREED** that the confirmation is DENIED.

The Honorable Patricia M. Mayer

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF PENNSYLVANIA**

In re: :
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James Harold Cooper : Case No. 24-11808-pmm
 :
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Debtor. : Chapter 13

CERTIFICATION OF SERVICE

I, M. Jacqueline Larkin, Esquire, hereby certify that I did cause a true and correct copy of the foregoing Objection to Confirmation of Chapter 13 Plan to be served on this 24th of June 2024, via the CM/ECF System of the Court upon the following individuals and first-class mail:

Michael Cibik, Esq.
Cibik Law, P.C.
1500 Walnut Street, Suite 900
Philadelphia, PA 19102

James Harold Cooper
24 Beech Street
Pottstown, PA 19464

KENNETH E. WEST
Office of the Chapter 13 Standing Trustee
1234 Market Street - Suite 1813
Philadelphia, PA 19107

U.S. Trustee
Robert N.C. Nix Federal Building
900 Market Street, Suite 320
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VAUGHAN MCLEAN

By: /s/ M. Jacqueline Larkin
M. Jacqueline Larkin, Esq.